



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER OF PATENTS

May 5, 2005

David J. Rikkers
Brown Rudnick Berlack Israels
One Financial Center
Boston, MA 02111

In re Application of:
Reynolds e. Moulton, III
Serial No: 10/772,073 On Petition
Filing Date: February 4, 2004
For: SELF-PROPELLED PET TOY

In response to the petitions received by fax on March 1, 2005, to withdraw the holding of abandonment in the above application.

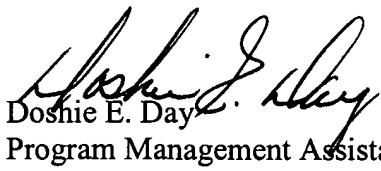
The petition is Granted.

The above-identified application became abandoned for failure to reply with the meaning of 37 C.D.R 1.113 in a timely manner to the Notice to File Missing Parts of Nonprovisional Application mailed May 10, 2004. Which set forth a shortened statutory period for reply of two months. Accordingly, the above-identified application became abandoned July 13, 2004. The notice of abandonment was mailed on June 7, 2004.

The evidence submitted is sufficient to establish that the petitioners responded to the Notice to File Missing Part of Nonprovisional Application on June 3, 2004.

The application was abandoned in error. The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this application may be directed to Doshie E. Day (703) 308-3640.


Doshie E. Day
Program Management Assistant
Office of Initial Patent Examination

B
R
B
I
I
BROWN
RUDNICK
BERLACK
ISRAELS LLP

One Financial Center
Boston, Massachusetts 02111
617.856.8200
fax 617.856.8201
www.brownrudnick.com

AKIMA-DTSV U 1 MAR 2005



TRANSMITTAL DATE

FEBRUARY 15, 2005

THIS TRANSMISSION CONSISTS OF THIS COVER SHEET AND 20 PAGE(S)

ORIGINAL DOCUMENT TO FOLLOW: YES NO

If you do not receive all pages, please call Office Services at 617.856.8200

FAX NUMBER 703 308 7751.

ATTENTION OF OIPE CUSTOMER SERVICE - U.S. PATENT & TRADEMARK OFFICE

TELEPHONE NUMBER

FROM David J. Rikkers

DIRECT DIAL 617.856.8382

C/M/A 21548/5 / 2581

MESSAGE

RE: ATTY. DOCKET NO. 21548/005 - U.S. SERIAL NO. 10/772,073

ATTACHED PLEASE FIND: PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(A).

F
a
x
F a c s i m i l e

Best Available Copy

1329529 v1 - 021548/0005

CONFIDENTIALITY NOTICE

The documents accompanying this fax transmission contain information from the law firm of Brown Rudnick Berlack Israels LLP which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this fax in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you. Thank you.

Alexandra House
Ballsbridge, Dublin 4 IRL
+353 1 664 4740

CityPlace I
Hartford, CT 06103
880 500.6500

8 Clifford Street
London, W1S 2LO UK
+44.20.7851.6000

120 West 45th Street
New York, NY 10036
212.704.0100

121 South Main Street
Providence, RI 02803
401.276.2600

1201 Pennsylvania Ave NW Suite 325
Washington, DC 20004
202.347.2222
+1 202 347 2222

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DECLARATION FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SELF-PROPELLED PET TOY

the specification of which was filed on February 4, 2004 as Application No. 10/772073.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at Lahive & Cockfield, LLP, 28 State Street, Boston, Massachusetts 02109, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

- no such foreign applications have been filed
 such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			— Yes No —
			— Yes No —
			— Yes No —

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- no such U.S. provisional applications have been filed.
 such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/444782	February 4, 2003	— X Yes No —
		— Yes No —
		— Yes No —

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application.

- no such U.S./PCT applications have been filed.
- such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 00959 (listed here):

James E. Cockfield	19,162	Jeremiah Lynch	17,425	Danielle L. Hamit	43,670
Thomas V. Suruzynski	24,798	David J. Rikkers	43,332	Cynthia M. Soroco	53,623
Ralph A. Loren	29,525	*Marilouise Iratniuk, Ph.D.		Jonathan M. Spacks, Ph.D.	53,624
Giulio A. DeConti, Jr.	31,503	Debra J. Milasincic	46,931	Meredith C. Arnold	52,568
Elizabeth A. Hanley	33,505	David R. Burns	46,590	Peter W. Diui, Ph.D.	52,321
Amy E. Mamakogoutas	36,207	Susan D. Denveiler	42,482	Andrina Williams	54,539
Anthony A. Lazzarino	38,220	Cynthia L. Kamik, Ph.D.	57,320	John D. Lanza	40,060
Kevin J. Canning	35,470	Theodore R. West	47,262	Crisin E. Howley, Ph.D.	55,281
Jane E. Remillard	38,372	Hulaway Pease	46,433	Jill A. Mello, Ph.D.	535,450
DeAnn F. Smith	36,693	John S. Cutzer	50,445	Michael J. Bastira, Ph.D.	47,411
Jeanne M. DiGiorgio	41,710	Lisa M. DiRocco	31,619	Christopher J. McKenna	53,305
Megan E. Willius	43,270				

* Limited Recognition Under 37 C.F.R. § 10.9(b)

all of Lahive & Cockfield, LLP, 28 State Street, Boston, Massachusetts 02109, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to David J. Rikkers at Customer Number 00959, whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

Please direct telephone calls to: David J. Rikkers at (617) 227-7400.

Please direct facsimiles to: (617) 742-4214

Full name of sole or first inventor Reynolds E. MOULTON, III	Date
Sole or first inventor's signature <i>Reynolds Moulton</i>	11.20.04
Residence New York, New York	
Citizenship US	
Mailing Address 105 East 63rd Street #3B New York, New York 10021	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of third inventor, if any	
Third inventor's Signature	Date
Residence	
Citizenship	
Mailing Address	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Reynolds E. Moulton, III Conf. No.: 4526
Application No.: 10/772,073 Group Art Unit: 3643
Filed: February 4, 2004 Examiner: Not yet Assigned
For: SELF-PROPELLED PET TOY

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(A)

CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by Facsimile to: 1-703-308-7751, OIPE Customer Service, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: Karen L. Corey

February 15, 2005

Date

OIPE Customer Service
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant received a Notice of Abandonment under 37 CFR 1.53(f) or (g) stating that the above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts mailed on 5/10/04. In response to the Notice of Abandonment, Applicant hereby submits a Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181(a).

In support of this Petition, Applicant submits the following as proof that a Response to the Notice to File Missing Parts was timely filed on June 3, 2004:

1. Copy of Notice of Abandonment Under 37 CFR 1.53(f) or (g) (2 pp.);
2. Auto-Reply Facsimile Transmission received from the U.S. Patent & Trademark Office dated June 3, 2004 acknowledging receipt of 11 pages of Response to Notice to File Missing Parts (1 pg.);

Application No.: 10/772,073

Group Art Unit: 3643

Page 2 of 2

3. Copy of Lahive & Cockfield outgoing Fax Confirmation indicating that 11 pages were transmitted to the U.S. Patent and Trademark Office on June 3, 2004;
4. Response to Notice to File Missing Parts, as filed on June 3, 2004 (11 pp.); and
5. Copy of Revocation of Power of Attorney filed on October 12, 2004 (3 pp.).

To ensure that the Examiner has a complete file at the time of action on this case, Applicant also notes that subsequent to the timely-filed Response to Missing Parts, Applicant filed a Revocation of Previous Power of Attorney and a Change of Correspondence Address on October 12, 2004, an Information Disclosure Statement on December 10, 2004, and a Preliminary Amendment on January 21, 2005.

Applicant respectfully requests that the Commissioner consider the present petition which is submitted in order to withdraw the holding of abandonment. No fees are believed to be due, however, please charge Deposit Account No. 500369 for any fee necessary.

Respectfully submitted,

Brown Rudnick Berlack Israels LLP



David J. Rikkers, Esq.
Registration No. 43,882
Customer No. 21710
Brown Rudnick Berlack Israels LLP
One Financial Center
Boston, MA 02111
Tel: (617) 856-8382
Fax: (617) 856-8201

Date: February 15, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/772,073	02/04/2004	Reynolds E. Moulton III	DGP-005

CONFIRMATION NO. 4526

ABANDONMENT/TERMINATION
LETTER



OC000000015131232

Date Mailed: 02/08/2005

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/10/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137..

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37

CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.

2134
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Auto-Reply Facsimile Transmission



fax copy for
file / working attorney

TO: Fax Sender at 6177424214

Fax Information
Date Received:
Total Pages:

6/3/2004 10:34:11 AM [Eastern Daylight Time]
11 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

FAX TRANSMISSION	
DATE:	July 3, 2003
PTO IDENTIFIER:	Application Number 10/778,073-Cont. Requests Patent Number Inventor: Raybold, L. M. BULTON, III
MESSAGE TO:	Office of Initial Patent Examination
FAX NUMBER:	(703) 672-9306
FROM:	LAWVILLE & COCKFIELD, LLP David J. Blakemore
PHONE:	(617) 227-7400
Answering Dta. #:	DCP-001
PAGES (including cover sheet):	11
CONTENTS:	Part 1 Copy of Notice (2 pages); Fee Transmittal, in duplicate (2 pages); Response to Notice to File Missing Parts of Application (2 pages); and Combined Declaration and Power of Attorney (4 pages). Charge \$63.00 to deposit account 13-0080.
If your receipt of this transmission is in error, please notify this firm immediately by either call to sender at (617) 227-7400 and send the original transmittal or by return mail at the address below.	
This transmission is intended for the sole use of the individual and entity to whom it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.	
LAWVILLE & COCKFIELD, LLP 28 State Street, Boston, Massachusetts 02102 Telephone: (617) 227-7400 Facsimile: (617) 743-0314	

Confirmation Report-Memory Send

Time : Jun-03-04 09:39
Tel line 1 : 6177424214
Tel line 2 : 6177424214
Name : LAHIVE & COCKFIELD, LLP

Job number : 110
Date : Jun-03 09:33
To : 28899#17038729306-99
Document Pages : 11
Start time : Jun-03 09:33
End time : Jun-03 09:39
Pages sent : 11
Job number : 110

***** SEND SUCCESSFUL *****

FAX TRANSMISSION

DATE:	June 5, 2004
PTO IDENTIFIER:	Application Number 10/778,073-Cont #0806 Patent Number
INVENTOR:	Reynolds & MOULTON, III
MESSAGE TO:	Office of Initial Patent Examination
FAX NUMBER:	(709) 872-9304
FROM:	LAHIVE & COCKFIELD, LLP David J. Rikkers
PHONE:	(617) 227-7400
ATTORNEY DCT. #: DOP-005	
PAGES (including Cover Sheet):	11
CONTENTS:	Part 2 Copy of Notice (2 pages); Fee Transmittal, in duplicate (2 pages); Response to Notice to File Missing Parts of Application (2 pages); and Combined Declaration and Power of Attorney (4 pages). Charge \$63.00 to deposit account 12-0080.
If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.	
This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.	
LAHIVE & COCKFIELD, LLP 28 State Street, Boston, Massachusetts 02109 Telephone: (617) 227-7400 Facsimile: (617) 742-4214	

FAX TRANSMISSION

DATE: June 8, 2004

PTO IDENTIFIER: Application Number 10/779,018-Conf. #4526

Patent Number

Inventor: Reynolds E. MOULTON, III

MESSAGE TO: Office of Initial Patent Examination

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP

David J. Rikkens

PHONE: (617) 227-7400

Attorney Dkt. #: DGP-005

PAGES (Including Cover Sheet): 11

CONTENTS:

Part 2 Copy of Notice (2 pages);
Fee Transmittal, in duplicate (2 pages);
Response to Notice to File Missing Parts of Application (2 pages); and
Combined Declaration and Power of Attorney (4 pages).
Charge \$65.00 to deposit account 12-0080.

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (C) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,073	02/04/2004	Reynolds E. Moulton III	DGP-005

CONFIRMATION NO. 4526

FORMALITIES LETTER



OC000000012576484

00959
 LAHIVE & COCKFIELD, LLP.
 28 STATE STREET
 BOSTON, MA 02109

Date Mailed: 05/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY

Approved for use through 12/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.17

TOTAL AMOUNT OF PAYMENT: (\$) 65.00

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account:

Deposit Account Number: 12-0080
Deposit Account Name: Lahive & Cockfield, LLP

The Director is authorized to: (check off one entry)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fees in case underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above designated deposit account

FEES CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (S)	Fee \$	Fee Code (S)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Provisional filing fee
1005	160	2005	80	Provisional filing fee

SUBTOTAL (1) (\$) 65.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from Dep't	Fee Paid
(Independent)			
Claims			
Multiple Dependent			

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (S)	Fee \$	Fee Code (S)	Fee Description
1202	18	2202	9 Claims in excess of 20
1201	66	2201	41 Independent claims in excess of 3
1203	290	2203	145 Multiple dependent claim, if not paid
1204	66	2204	43 ** Reissue independent claims over original patent
1205	18	2205	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

* or number previously paid, if greater. For Reissues, see above

Complete if Known

Application Number	10/772,073 Conf #4526
Filing Date	February 4, 2004
First Named Inventor	Reynolds E. MOULTON, III
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	DGP 005

FEES CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051	130	1051 63 Surecharge - late filing fee or fees	62.00
1052	50	1052 25 Surecharge - late provisional filing fee or fees	
1053	110	1053 130 Non-English specification	
1817	2,630	1812 2,520 For filing a request for ex parte reexamination	
1808	970*	1808 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,750 Requesting publication of SIR after Examiner action	
1251	110	1251 55 Extension for reply within first month	
1252	420	1252 210 Extension for reply within second month	
1253	950	1253 475 Extension for reply within third month	
1254	1,480	1254 740 Extension for reply within fourth month	
1255	2,010	1255 1,005 Extension for reply within fifth month	
1601	110	1601 165 Notice of Appeal	
1404	330	1404 165 Filing a brief in support of an appeal	
1405	290	1405 145 Request for oral hearing	
1451	1,110	1451 1,110 Position as last date a public use proceeding	
1452	110	1452 55 Position to revive - unavoidable	
1453	1,330	1453 603 Position to revive - unanticipated	
1601	1,110	1601 665 Utility issue fee (or reissue)	
1502	480	1502 240 Design issue fee	
1503	640	1503 320 Plant issue fee	
1460	130	1460 130 Petition to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	160	1806 160 Submission of Information Disclosure Stmt	
5021	60	5021 40 Recording each parent assignment per property (from number of properties)	
1809	770	1809 385 Filing a submission after final rejection (37 CFR 1.127(e))	
1810	770	1810 121 For each additional invention to be examined (37 CFR 1.127(f))	
1801	770	1801 385 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	

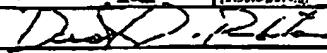
Other fee (specify) _____

Accrued by Basic Filing Fee Paid _____

SUBTOTAL (3) (\$) 65.00

(Complete if applicable)

SUBMITTED BY

Name (Print/Type)	David J. Rikkers	Registration No. (Inventor/Assignee)	43,882	Telephone	(617) 227-7400
Signature		Date	June 3, 2004		

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated: June 3, 2004

Signature: 

(David J. Rikkers)

Application No.: 10772,073

Docket No.: DGP-005

hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. DGP-005. Applicants request any extensions of time necessary to respond.

Dated: June 3, 2004

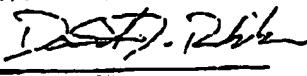
Respectfully submitted,

By 
David J. Rikkers
Registration No.: 43,882
I.AHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-1214 (Fax)
Attorney/Agent For Applicant

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9305, on the date shown below.

Dated: June 3, 2004

Signature:



(David J. Rikkers)

Docket No.: DGP-005
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Reynolds E. Moulton, III

Application No. 10/1172,073

Confirmation No.: 4526

Filed: February 4, 2004

Art Unit: N/A

For: SELF-PROPELLED PET TOY

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted mailed May 10, 2004. Applicant respectfully submits a Combined Declaration and Power of Attorney and Part 2 Copy of Notice.

Please charge our Deposit Account No. 12-0080 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

DAVID J. RIKKERS
direct dial: 617 856-4782
drrikers@brownrudnick.com

October 12, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: U.S. Application Serial No. 10/772,073
Filed: February 4, 2004
Applicant: Reynolds E. Moulton, III
Our Ref. No.: 21548/S

CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being
Facsimile transmitted to: 1-703-872-9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: Elaine E. Fabrizio
Elaine E. Fabrizio

October 12, 2004
Date

Dear Madam/Sir:

Enclosed please find an executed Revocation of Previous Power of Attorney (1 pg). A
Change of Correspondence Address form is also enclosed.

If you have any questions, please call David J. Rikkers at (617) 856-8382. Thank you for
your assistance.

Sincerely,

BROWN RUDNICK BERLACK ISRAELS LLP

By: David J. Rikkers

David J. Rikkers, Esq. (Reg. No. 43,882)
One Financial Center
Boston, MA 02111
Tel: 617-856-8382
Fax: 617-856-8201
Customer No. 21710

DJR/eef
Attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
POWER OF ATTORNEY (and REVOCATION OF PREVIOUS POWER OF ATTORNEY)

Docket No. 21548/5

Application No.: 10/772,073
Filing Date: February 4, 2004
Entitled: SELF-PROPELLED PET TOY

Owner: Dogmatic Pet Products, Inc.
Address: 158 Summit Street
Brooklyn, NY 11231
US

TO THE COMMISSIONER FOR PATENTS

Honorable Sir:

I hereby appoint:

Brian L. Michaelis	Reg. No. 34,221	Joseph P. Quinn Reg. No. 45,029
Mark S. Leonardo	Reg. No. 41,443	Thomas M. Saunders Reg. No. 29,585
David D. Lowry	Reg. No. 38,538	John C. Serio Reg. No. 39,023
Peter B. Sorell	Reg. No. 44,349	Mark A. Hofer, Reg. No. 30,068
Damon A. Treitler	Reg. No. 48,377	David J. Rikkers, Reg. No. 43,882

All of the firm:

Brown Rudnick Berlack Israels LLP
One Financial Center
BOX IP
Boston MA 02111

as principal attorneys to prosecute this application, to transact all business in the Patent and Trademark Office connected with the above-referenced patent application. Applicant hereby revokes all previous powers of attorney associated with this application. Kindly note that the address of the owner has been changed.

Please direct all future correspondence to:

David J. Rikkers
Brown Rudnick Berlack Israels LLP
One Financial Center
Boston MA 02111

Dogmatic Pet Products, Inc.

By: Reynolds E. Moulton, III
Name: Reynolds E. Moulton, III

Dated: 9.22.04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Reynolds E. Moulton, III Confirmation No.: 4326
SERIAL NO.: 10/772,073 Art Unit No.: 3643
FILED: February 4, 2004 Examiner: Not Yet Assigned
FOR: SELF-PROPELLED PET TOY

CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being Facsimile transmitted to: 1-703-872-9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: *Elaine E. Fabrizio*
Elaine E. Fabrizio

October 12, 2004

Date

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

CHANGE OF CORRESPONDENCE ADDRESS

Sir:

Please send all future correspondence for this application to:

David J. Rikkers, Esq.
Brown Rudnick Berlack Israels LLP
One Financial Center
Boston, MA 02111

Please direct all telephone calls to:

David J. Rikkers, Esq.
(617) 856-8382

A Revocation of Previous Power of Attorney is also enclosed with this form.

Respectfully submitted,

D.J. Rikkers
David J. Rikkers, Esq., Reg. No. 43,882
Attorney for Applicant(s)
Customer No. 21710
BROWN RUDNICK BERLACK ISRAELS LLP
One Financial Center
Boston, MA 02111
(617) 856-8382

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER: _____**

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.